

Docket No.: PZ034P1C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ni et al.

Application No.: 10/613,076

Confirmation No.: 8540

Filed: July 7, 2003

Art Unit: 1637

For: Antibodies To HFXHC41 Polypeptide (as
amended herein)

Examiner: T.E. Strzelecka

INFORMATION DISCLOSURE STATEMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir or Madam:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Agent for Applicants hereby directs the Examiner's attention to references AA-AV listed on the attached Form PTO/SB/08. A copy of each of reference(s) AE and AQ is enclosed.

Copies of references AA-AD, AF-AP and AR-AV were submitted by Applicants or cited by the Examiner in connection with U. S. Patent Application Serial No. 09/656,391, filed May 5, 2000, and 09/948,820, filed September 10, 2001, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the above-listed files for copies of reference(s) AA-AD, AF-AP and AR-AV.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed reference(s) is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants

do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed reference(s) and that the reference(s) be made of record in the file history of the application.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

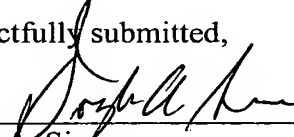
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge any fees due, or credit any overpayment, to our Deposit Account No. 08-3425. If a fee is required for an extension of time under 37 C.F.R. § 1.136, such an extension is requested and the appropriate fee should also be charged to our Deposit Account.

Dated: January 23, 2006

Respectfully submitted,

By


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PTO/SB/08a/b (07-05)

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Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	10/613,076-Conf. #8540
Filing Date	July 7, 2003
First Named Inventor	Jian Ni
Art Unit	1637
Examiner Name	T. E. Strzelecka
Attorney Docket Number	PZ034P1C2

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-09/912,292	NOT PUBLISHED	Rosen et al.	Pages 1-75 (pages 1 & 2 partially redacted); portion of Table 2; and SEQ ID NO:8574
	AB*	US-6,140,056	10/2000	KHODADOUST	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number-Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	AD	EP-0 808 899	11/1997	EISHOURBAGY, et al.		
	AC	WO-00/29422	05-25-2000	HUMAN GENOME SCIENCES, INC.		
	AE	WO-0012708 A2 & A3	03-09-2000	GENENTECH, INC.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an single asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AF	Accession No. AAB58958, "Glucose/galactose transporter [Brucella melitensis biovar Abortus]" (June 6, 1997)	
	AG	Accession No. AAO29017, "Glucose/galactose transporter [Xylella fastidiosa Temecula 1]" (January 29, 2003)	
	AH	Accession No. CAB75124, "Putative sugar transporter [Campylobacter jejuni subsp. jejuni]" (July 9, 2002)	
	AI	EMBL Database Accession No. U37573 (November 8, 1995)	
	AJ	EMBL Database Accession No. AA664823 (November 17, 1997)	
	AK	ESSENBERG, et al., "Brucella abortus strain 2308 putative glucose and galactose transporter gene: cloning and characterization," <i>Microbiology</i> , 143:1549-1555 (1997)	
	AL	GERHOLD, et al., "It's the genes! EST access to human genome content," <i>Bioessays</i> , 18:973-981 (1996)	
	AM	GUNN, et al., "Topological analyses of the L-fucose-H ⁺ symport protein, FucP, from <i>Escherichia coli</i> ," <i>Mol. Microbiology</i> , 15:771-783 (1995)	
	AN	JACOBSON, et al., "Interrelationship of the pathways of mRNA decay and translation in eukaryotic cells," <i>Annu. Rev. Biochem.</i> , 65:693-739 (1996)	
	AO	MAKI, et al., "Cloning and characterization of a fourth human lysyl oxidase isoenzyme," <i>Biochem. J.</i> , 355:381-387 (2001)	
	AP	RUSSELL, et al., "Structural features can be unconserved in proteins with similar folds," <i>J. Mol. Biol.</i> , 244:332-350 (1994)	

Examiner Signature	Date Considered
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PTO/SB/08a/b (07-05)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/613,076-Conf. #8540
				Filing Date	July 7, 2003
				First Named Inventor	Jian Ni
				Art Unit	1637
				Examiner Name	T. E. Strzelecka
				Attorney Docket Number	PZ034P1C2
Sheet	2	of	2		

	AQ	Supplementary Partial European Search Report for Application No. EP 99 96 0249 completed March 6, 2003	
	AR	SwissProt Accession No. P58215, "Lysyl Oxidase Homolog 3 Precursor" (August 20, 2001)	
	AS	SwissProt Accession No. P11551, "L-fucose permease" (October 1, 1989)	
	AT	SwissProt Accession No. Q44623, "Glucose/galactose transporter" (July 15, 1998)	
	AU	UNIPROT Database Accession No. Q44623, "Glucose/galactose transporter" (July 15, 1998)	
	AV	WELLS, et al., "The chemokine information source: identification and characterization of novel chemokines using the WorldWideWEB and expressed tag databases," <i>J. Leukoc. Biol.</i> , 61:545-550 (1997)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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